IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

THURSDAY, THE 29TH MARCH 2007 / 8TH CHAITHRA 1929

Mat.Appeal.No. 162 of 2005()

AGAINST THE ORDER DATED 7.5.2005 IN IA .NOS. 30 OF 2005 AND 98/2005 IN OP(DIV).85/2003 of FAMILY COURT, THODUPUZHA

APPELLANT: RESPONDENT:

SIBI @ ELDHOSE, AGED 32 YEARS,
S/O.GEORGE, MANJUMAKKUDY HOUSE,
MANJAKKUZHI KARA, RAJAKUMARI P.O.,
UDUMPANCHOLA TALUK, IDUKKI DISTRICT.

BY ADV. SMT.KOCHUMOL KODUVATH

RESPONDENTS: PETITIONER:

JIJI @ ALEYAMMA, AGED 31 YEARS,
D/O.MARKOSE @ KUNJAPPAN, PAREKKARA,
PUTHENPURAYIL HOUSE, BYSONVALLEY KARA,
UDUMPANCHOLA TALUK, IDUKKI DISTRICT.

BY ADV. SRI.PADAYATTEE YELDO

THIS MATRIMONIAL APPEAL HAVING BEEN FINALLY HEARD ON 29/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

I.A.NO.1703/2005 IN MAT.APPEAL NO.162/2005

DISMISSED

SD/- KURIAN JOSEPH, JUDGE

29/3/2007 SD/- K.T.SANKARAN, JUDGE

//TRUE COPY//

AHZ/

KURIAN JOSEPH & K.T. SANKARAN, JJ.

MAT.APPEAL NO. 162 OF 2005

Dated this the 29th day of March, 2007

JUDGMENT

Kurian Joseph, J.

This appeal is filed against the common order in I.A.Nos.30 of 2005 and 98 of 2005 in O.P.(Divorce) No.85 of 2003, on the file of the Family Court, Thodupuzha. As per the order under appeal, the Family Court set aside the exparte order of divorce and restored the matter to file after condoning the delay. In the affidavit filed by the respondent it is stated that during the pendency of the appeal, the entire disputes between the parties and all litigations also have been settled out of Court. It is also stated that appellant has married another lady. In the above circumstances, it is stated in the affidavit that the respondent has no objection in allowing the appeal.

Accordingly, the appeal is allowed and the order under appeal is set aside.

(KURIAN JOSEPH)
Judge

(K.T.SANKARAN)
Judge

ahz/